IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION (ST) NO. 29356 OF 2004
IN
WRIT PETITION NO. 3963 OF 2004

Maharashtra Public Service Commission . Applicant
Versus
Dr. Shrikant Sapatnekar and anr. ... Respondents

Mr. Tejas Deshpande for the Applicant.
Mr. S.P. Kadam for R. No. 1.
Mr. A.A. Kumbhakoni, Assoc. Advocate General with Mr. V.P. Malwankar, A.G.P. for R. No. 2.

CORAM : F.I. REBELLO &
DR.D.Y.CHANDRACHUD,JJ.
DATED : JANUARY 23, 2006

P.C.

. The Review application taken up on board and heard forthwith.

. The respondent in Writ Petition No. 3963 of 2004 has now filed an affidavit and in Paragraphs 9 and 10 has set out that he has retired from the Government service and is not interested to join as Director of Medical Education and Research, Maharashtra State even if invited. The Petition by the Respondent before M.A.T. was that he had not been called for interview though being eligible. Considering his statement, Review Petition as filed no longer survives in view of the statements in

Paragraphs 9 and 10 of the affidavit filed by the Respondent in W.P. No. 3963 of 2004 and is accordingly disposed of.

. In view of the statements in Paragraphs 9 and 10 it will be open to the M.P.S.C. to proceed to declare the results for the post of Director, Medical Education and Research.

. With the above observation, Review Petition stands disposed of.

. In view of the statement, the order of M.A.T. becomes infructuous. It is made clear that it will be open to the Respondent No. 1 if he has taken out any proceedings in contempt for non compliance of the order of M.A.T as also of this court to proceed in the proceedings which he has taken out and the tribunal or court therein to decide the issues raised by the Respondent No. 1 herein irrespective of the observations as to the order of M.A.T. becoming infructuous.

. The M.P.S.C. is directed to declare the results

within two weeks from today.

(F.I. REBELLO,J.)

(DR. D.Y. CHANDRACHUD,J.)